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Practitioner's Docket No. NEB-228

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morgan, Richard D.; Bhatia, Tanya

Application No.: 10/616,689

Group No.: 1645

Filed: July 10, 2003

Examiner: not yet assigned

For: Novel Type II Restriction Endonuclease, CstMI, Obtainable from *Corynebacterium Striatum* M82B and a Process for Producing the Same

**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

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**CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is **mandatory**;  
**Express Mail certification is optional.**)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

x deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

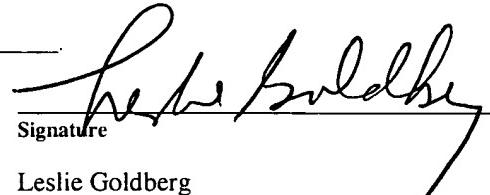
x with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

G as "Express Mail Post Office to Addressee"  
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**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Leslie Goldberg  
(type or print name of person certifying)

Date: May 24, 2004

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Date: May 24, 2004

Reg. No.: 37,008

Tel. No.: 978-927-5054

Customer No.: 28986

Harriet Strimpel

Signature of Practitioner

Harriet M. Strimpel, D. Phil.

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Beverly, MA 01915



Restrictioner's Docket No. NEB-228

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard D. Morgan, Tanya Bhatia

Application No.: 10/616,689

Group No.: 1645

Filed: July 10, 2003

Examiner: not yet assigned

For: Novel Type II Restriction Endonuclease, CstMI, Obtainable from *Corynebacterium Striatum M82B* and a Process for Producing the Same

**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
2. Copies of Listed Information Items Accompanying This Statement
3. Identification of Person(s) Making This Information Disclosure Statement

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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**37 C.F.R. § 1.8(a)**

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**37 C.F.R. § 1.10\***

G as "Express Mail Post Office to Addressee"  
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Leslie Goldberg  
(type or print name of person certifying)

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**Section 1.      Forms PTO/SB/08A and 08B (formerly Form PTO-1449)**

(Insert form(s) PTO/SB/08A [Form 6-2] and/or form(s) PTO/SB/08B [Form 6-2.1].)

**Section 2. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

AF-AH; BA

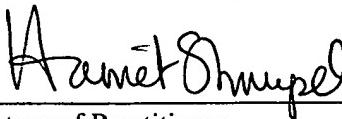
### **Section 3. Identification of Person Making This Information Disclosure Statement**

The person making this certification is:

- a. the practitioner who signs below on the basis of the information in the practitioner's file.

Date: May 24, 2004

Reg. No.: 37,008  
Tel. No.: 978-927-5054  
Customer No.: 28986



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Signature of Practitioner

Harriet M. Strimpel, D. Phil.  
New England Biolabs, Inc.  
32 Tozer Road  
Beverly, MA 01915

**SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Morgan et al. Attorney Docket: NEB-228  
Serial No: 10/616,689 Art Group Unit: 1645  
Date Filed: July 10, 2003 Examiner Name: Not yet assigned  
Invention: Novel Type II Restriction Endonuclease, CstMI, Obtainable from Corynebacterium Striatum M82B and a Process for Producing the Same

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/Subclass
	BA	WO	2004/007670 A2	22-01-2004	New England Biolabs, Inc.	C12N

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	AF	Tucholski, et al.	Gene 223:293-302 (1998)
	AG	Tucholski, et al.	Gene 157:87-92 (1995)
	AH	Boyd, et al.	Nucl. Acids Res. 14:5255-5274 (1986)

Examiner Signature: \_\_\_\_\_

Date Considered: \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if *not* in conformance and not considered. Include copy of this form with next communication to applicant.